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ATTORNEYS FOR PLAINTIFF AND THE PROPOSED CLASSES

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
SOUTHERN DIVISION**

Kathleen Bliss, on behalf of herself, the
Proposed Nationwide Rule 23 Class, and the
Proposed Nevada Subclass,

Plaintiff,

v.

CoreCivic, Inc.,

Defendant.

Case No. 2:18-CV-01280-JAD-EJY

**PLAINTIFF'S MOTION FOR STATUS
CONFERENCE**

Plaintiff respectfully requests that the Court hold a status conference to discuss outstanding discovery disputes on or after August 22.¹ Plaintiff requests the conference for three primary reasons:

First, the Court ordered Defendant to produce all documents in its or its counsel's possession, custody, or control by June 14, 2022 (ECF No. 200), but it does not appear that Defendant has done so. In fact, some of Defendant's supplemental written responses plainly show that Defendant has not finished determining what is in its possession, custody, or control.

Second and relatedly, even when the parties have met and conferred and agreed on subsequent deadlines by which Defendant will provide Plaintiff information, Defendant has not always met those deadlines. By way of example, the parties' July 8 status report memorializes the

¹ Defendant opposes the request for a status conference.

1 parties' agreement that, by July 28, Defendant would supplement (and how it would supplement)
 2 specific responses and/or complete producing documents in its possession, custody, or control.
 3 (July 8 Jt. Status Report, ECF No. 205 at 7 (as to Interrog. 7), 10 (as to Doc. Req. 5), 11 (as to Doc.
 4 Req. 8), 12 (as to Doc Req. 10 and 11), 13-14 (as to Doc. Req. 14), 18 (as to Doc. Req. 18).) While
 5 Defendant did supplement its response on July 28 and has produced additional documents, it still
 6 has not fully supplemented or finished producing documents.²

7 As another example, on August 4—hours before the parties met and conferred—Defendant
 8 volunteered to provide a supplemental response and production by its self-selected deadline of
 9 August 16. In light of, among other things, Defendant's representation that its "counsel will be in
 10 trial on August 10-12 and has significant deadlines in other class action matters between now and
 11 August 12," the parties requested and were granted an extension to August 17 to file a status report
 12 about disputes remaining after their most recent meet-and-confer. (ECF No. 207.) On August 16 at
 13 7:47 p.m. Pacific Time, defense counsel emailed: "Due to major filings in three other class actions,
 14 and a trial in federal court, we were not able to get the supplemental responses/production out today
 15 for Bliss. We will provide them to you tomorrow."

16 Plaintiff recognizes that Defendant may abide by this most recent promise; however, given
 17 the course of conduct described above, Plaintiff is now requesting a status conference with the
 18 Court. Unless otherwise directed by the Court, Plaintiff will file an update with the Court on August
 19 19 as to whether Defendant has sufficiently supplemented and whether there are any remaining
 20 disputes. Such filing will either be unilateral or in the form of a joint status report.³

21 **Finally**, discovery is ongoing. There are issues that have arisen in discovery subsequent to
 22 and/or unrelated to the discovery that Plaintiff moved to compel earlier this year. (ECF No. 187.)
 23 Should disputes continue to play out as described above, it will remain difficult to timely determine
 24 whether the parties truly have a dispute. Absent the Court's assistance, Plaintiff is concerned that
 25 discovery will not progress in a manner sufficient for Plaintiff to determine how to structure her
 26

27 ² The parties are definitively at an impasse with respect to Document Request 21.

28 ³ Plaintiff recognizes that today is the deadline for the parties to file a joint status report. The parties
 are working on a joint request for an extension so that Plaintiff can review any production occurring
 today.

1 class certification arguments in advance of the December 19 deadline to move for certification.

2 For all of these reasons, Plaintiff respectfully requests a status conference with this Court
3 to the extent her August 19 filing identifies remaining disputes.

4
5 DATE: August 17, 2022

By: /s/Charles J. O'Meara
Charles J. O'Meara

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CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2022, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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I hereby certify that on this same date, I served the attached document by U.S. Mail, postage prepaid, on the following, who is not a registered participant of the CM/ECF System:

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/s/Anna P. Prakash